

# **EXHIBIT F**

1 UNITED STATES DISTRICT COURT

2 DISTRICT OF NEVADA (Las Vegas)

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4 In the matter of:

5 ORACLE USA, INC., a Colorado corporation;

6 ORACLE AMERICA, INC., a Delaware Corporation;

7 and ORACLE INTERNATIONAL CORPORATION,

8 a California corporation,

9 Plaintiffs,

Case No. 2:10-cv-0106-LRH-PAL

10 v.

11  
12 RIMINI STREET, INC., a Nevada corporation; and

13 SETH RAVIN, an individual,

14 Defendants.

15  
16  
17 Lloyd D. George U.S. Courthouse

18 333 Las Vegas Blvd. South

19 Las Vegas, NV

20 November 8, 2011

21 9:00 AM

22  
23 B E F O R E:

24 HON. MAGISTRATE PEGGY A. LEEN

25 DISTRICT COURT JUDGE

<p>1 gentleman who is a pivotal person both 2 with recipient knowledge and a knowledge 3 binding the corporation, I'm going to 4 allow them to -- and grant their request 5 for up to two days subject, of course, if 6 you believe that the examination is being 7 conducted in a manner that unreasonably 8 annoys, harasses, et cetera, or is 9 duplicative and so forth, you have your 10 remedies under Rule 30(d) as well. But 11 those should be exercised carefully 12 because the losing party will pay a price 13 on a motion to terminate or limit a 14 deposition.</p> <p>15 I understand, Mr. Allen, that your 16 executive doesn't want to be subjected up 17 to two days. But if they're really just 18 prolonging things and asking the same 19 questions over and over again, you have 20 remedies under the rule. But he's 21 significant enough that two days is not 22 unreasonable for this case.</p> <p>23 MR. ALLEN: Good afternoon, Your 24 Honor.</p> <p>25 THE COURT: And we have the request Page 34</p>	<p>1 with Oracle on this one, that that 2 provision in my September 21st, 2010 3 order was intended to tell you if there 4 is genuinely a surprise, that someone has 5 sandbagged you and you see a new name in 6 the pretrial order that you couldn't 7 reasonably anticipate having conducted 8 thorough discovery in your case within 9 the parameters the Court allowed, you're 10 going to have an opportunity to take 11 that. But you're not going to have an 12 opportunity to take depositions in the 13 case. You conclude discovery. You get 14 rulings on dispositive motions. You file 15 a joint pretrial order and now you really 16 take depositions in the case. That's not 17 going to happen.</p> <p>18 You're going to be required to show 19 good cause that you could not have 20 anticipated that this was a trial witness 21 or that -- and that was the whole reason. 22 I gave you twenty -- limitation -- that 23 both sides were jockeying about how many 24 depositions could be taken in this case. 25 I gave you the limitations, not all that Page 36</p>
<p>1 for clarification concerning pretrial 2 depositions. Mr. Reckers?</p> <p>3 MR. RECKERS: Thank you, Your Honor. 4 This here really is one of unfair 5 surprise. Oracle's a huge corporation. 6 And --</p> <p>7 THE COURT: Sure. And they listed 8 about a hundred people in their initial 9 disclosures. And so, you both came to 10 me. And from day one, you have been 11 arguing passionately on behalf of your 12 client that don't let them do all the 13 discovery they want to do because that 14 will bury my client and will destroy us 15 just by being suit. And so, I listened 16 very carefully to you and I resolved the 17 disputes between both sides about how 18 many depositions would be allowed unless, 19 for good cause shown, more were needed. 20 And now, you've taken eight depositions. 21 You've noticed two more or suggested two 22 more.</p> <p>23 And I'll give you the clarification 24 you're looking for but it's probably not 25 the answer you want. And that is, I side Page 35</p>	<p>1 you wanted but I limited the discovery 2 they could do binding your argument they 3 shouldn't be able to bury your client.</p> <p>4 But that doesn't relieve you of the 5 obligation to do discovery during the 6 original discovery cutoff. And then if 7 you convince me that there is a surprise 8 and you couldn't have known that this was 9 a witness or you didn't reasonably think 10 this was a witness or somebody dies and 11 somebody is substituted or somebody 12 becomes ill and somebody is substituted, 13 those are the kinds of things that -- 14 what I intended and envisioned in the 15 September 21st order about the -- if you 16 need a pretrial deposition, you're going 17 to get one but not the way you're 18 interpreting it. So I hope I have given 19 you sufficient clarification of what I 20 intended and what I'm likely to allow.</p> <p>21 MR. RECKERS: Thank you, Your Honor.</p> <p>22 THE COURT: Okay. I know you don't 23 like that answer but I tried to be as 24 clear as I can about what I meant. 25 So we have now an emergency motion Page 37</p>

Pages 34 to 37

C E R T I F I C A T I O N

I, Lisa Bar-Leib, hereby certify that the foregoing is a true and correct transcription, to the best of my ability, of the sound recorded proceedings submitted for transcription.

I further certify that I am not employed by nor related to any party to this action.

In witness whereof, I hereby sign this date:  
November 14, 2011.

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LISA BAR-LEIB

AAERT Certified Transcriber (CET\*\*D-486)